

Eugene T. Smith

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FEDERAL COMMUNICATIONS COMMISSION 715 G Street, S.E.
OFFICE OF SECRETARY
Washington, D.C. 20003

December 23, 1996

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Mr. William Caton
Acting Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: Petition For Rule Making,
§ 73.202 (b)

Dear Mr. Caton:

On behalf of The Word of Victory Outreach Center, Inc., there are transmitted herewith for filing an original and four copies of a Petition For Rule Making seeking to amend § 73.202 (b) of the Commission's Rules.

If additional information is needed, please contact the undersigned.

Very truly yours,


Eugene T. Smith

ETS:ch

Attachments

cc: The Word of Victory Outreach Center, Inc. (w/att.)
Mr. R. Lee Wheeler (w/att.)

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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DEC 23 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment of Section 73.202 (b),)
Table of Allotments,)
FM Broadcast Stations)
)
Poplar Bluff, MO)
)
)
)
)
)
To: Chief, Allocations Branch)
Policy and Rules Division)
Mass Media Bureau)

MM Docket No _____
RM _____

PETITION FOR RULE MAKING

The Word of Victory Outreach Center, Inc. ("WVOC"), by its attorney, files herewith a Petition For Rule Making requesting that the Commission institute Rule Making to amend § 73.202 (b) of its Rules in the following respect:

City	Present	Proposed
Poplar Bluff, MO	233, 238, 244, 278	223, 233, 238, 244, 278

In support of this request, the following is shown:

1.) Attached hereto, and incorporated by reference, is an engineering report prepared by WVOC's Consulting Engineer, Wheeler Broadcast Consulting. The engineering report details that the proposed amendment of § 73.202 (b) of the Commission's Rules can be accomplished under the spacing requirements of the Commission's Rules.

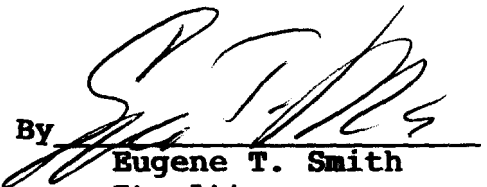
2.) Public interest considerations are present in that this proposed addition to the FM Table of Allotments will provide Poplar Bluff, Missouri with its fifth transmission service. Demographic

information relating to the community of Poplar Bluff, Missouri, is set forth in the attached engineering report.

For these reasons, it is respectfully requested that the Commission issue a Notice of Proposed Rule Making as reflected in this Petition.

Respectfully submitted,

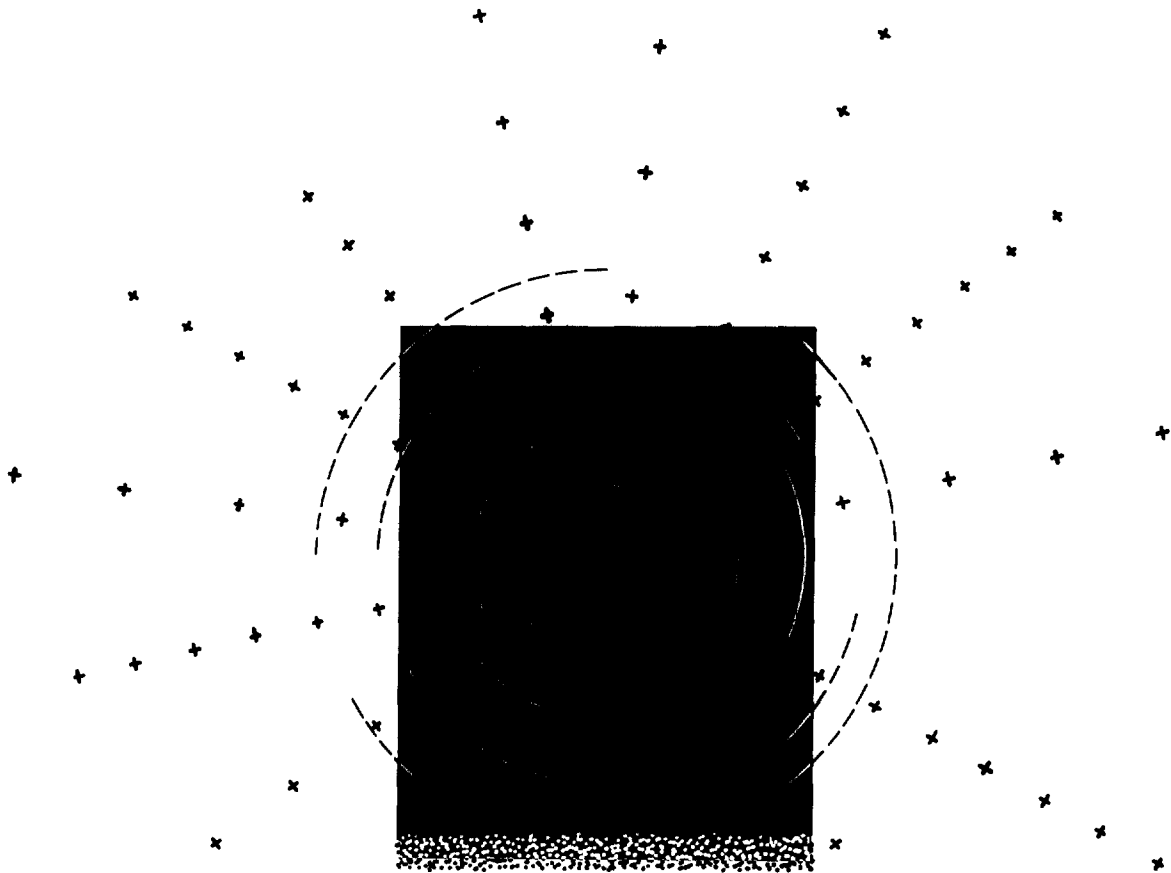
WORD OF VICTORY
OUTREACH CENTER, INC.

By 
Eugene T. Smith
Its Attorney

December 23, 1996

715 G Street, S.E.
Washington, D.C. 20003

202-347-2363



WHEELER
BROADCAST
CONSULTING

The Word of Victory Outreach Center, Inc.

Petition for Rulemaking

Petition to:

Amend 47 CFR 73.202(b) to Add
Channel 223A
Poplar Bluff, Missouri

December - 1996



WHEELER BROADCAST CONSULTING

Engineering Study

Proposed Rulemaking Channel 223A - Poplar Bluff, Missouri

This consultant has been retained by The Word of Victory Outreach Center, Inc. (WVOC) for the purpose of preparing an engineering statement in support of a Proposed Rule Making to amend the FM table of allotments, 47 CFR 73.202 (b), by adding channel 223 A to Poplar Bluff Missouri as its 5th commercial FM service.

At the request of "WVOC", this consultant performed a full commercial channel search of the Commission's December 6, 1996 FM database in order to determine the availability of a FM channel for allocation to Poplar Bluff. The study revealed that Channel 223 A can be allocated, in full compliance with the provisions of 47 CFR 73.207, to Poplar Bluff, Missouri with no site restriction. A copy of the spacing study is included in this report as Exhibit 1¹.

The coordinates of Polar Bluff, MO are listed in the National Atlas of the United States of America as follows:

36° 45' 30" N. Latitude
90° 23' 54" W. Longitude

6025 MARTWAY
SUITE 112
MISSION, KS 66202
913.362.7282
913.362.7287

The above coordinates are also suitable as allocation reference coordinates.

¹ The proposed Channel 223 allocation short spaces the first adjacent license of KMAL in Malden, MO. KMAL, however, has upgraded from Channel 224A to Channel 225 C3 via a one step application (BPH-9505031A). The Channel 225 facilities of KMAL have been constructed. Form 302, in application for the new license, has been filed with the Commission and the station is currently operating in automatic program test authority on channel 225.

Exhibit 2 of this report is a digitally generated map, generated from USGS and NGDC data, which indicates that the predicted 70 dbu contour from a 6 kW at 100 meter HAAT reference facility would be in full compliance with the principal community coverage requirements of 47 CFR 73.315

Poplar Bluff, Missouri

Poplar Bluff is an incorporated city with a Mayor, City Manager, and City Council form of government. Poplar Bluff is also the county seat of Butler County, a county with 38,765 residents according to the 1990 US Census. The population of the city of Poplar Bluff itself is 16,996 persons according to the 1990 US Census. Poplar Bluff has a post office with its own zip code, 63901. The city of Poplar Bluff provides nearly all necessary utilities to its residents by way of municipally owned water, sewer, and electrical companies. Additional utilities are provided by Union Electric and Missouri Natural Gas. There are 66 churches in Poplar Bluff serving numerous denominations. Poplar Bluff maintains its own, AAA rated, school district with one Senior High School, one Junior High School, and eight Elementary Schools. Educational needs are further served by five private Elementary Schools and one private High School. The school system maintains libraries at its facilities which supplement the Public Library.

Public safety services are provided to Poplar Bluff by the Poplar Bluff Police Department which employs 37 officers. The city is also home to the Butler County Sheriff's Department that employs an additional 22 officers. Fire protection is provided by the Poplar Bluff Fire Department which employs 32 firefighters plus a volunteer force of 12 firefighters. Poplar Bluff is a regional center for health care with three hospitals, 61 medical doctors, 17 dentists, and 446 nurses.

Conclusion

Poplar Bluff is a vibrant community that is deserving of additional commercial FM service. In light of the above facts, this proposal is clearly in the public interest and it is respectfully requested that 47 CFR 73.202(b) be amended as follows:

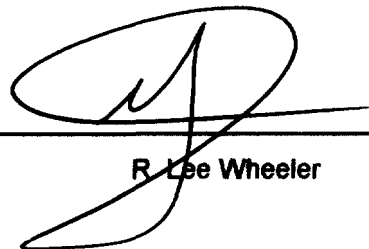
<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Poplar Bluff, MO	233 C1, 238 C1 244 A, 278 C2	223 A, 233 C1, 238 C1 244 A, 278 C2

Certification

All information contained in this report is true and accurate to the best of my belief. Having had numerous matters before the Commission, my qualifications are a matter of record.

12/9/1996

Date



R. Lee Wheeler

WHEELER BROADCAST CONSULTING
6025 Martway - Suite 112 - Mission KS 66202

Word of Victory Outreach Center, Inc.
 Poplar Bluff, MO

REFERENCE	CLASS A	DISPLAY DATES
36 45 30 N		DATA 12-06-96
90 23 54 W	Current rules spacings	SEARCH 12-09-96
----- CHANNEL 223 - 92.5 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
KMAL	224A	Malden	MO	121.3	43.97	72.0	-28.03 *
LI CN	36 33 08	89 58 42	3.000 kW	55M	27.3	44.8	
	BBC, Inc.				BLH791105AC		
>To Channel 225C3 per One-Step Application BPH-950503IA							
KMAL.C	225C3	Malden	MO	121.3	43.97	42.0	1.97 <
CP ZCN	36 33 08	89 58 42	23.500 kW	53M	27.3	26.1	
	BBC, Inc.				BPH950503IA		970315
>One-Step Application From Channel 224A							
WYNU	222C	Milan	TN	122.9	173.49	165.0	8.49
LI CN	35 54 06	88 46 55	100.000 kW	302M	107.8	102.6	
	Ohio Broadcast Associates				BLH870825KE		
KWYNFM	223C2	Wynne	AR	189.7	175.40	166.0	9.40
LI CN	35 11 59	90 43 23	35.000 kW	102M	109.0	103.2	
	East Arkansas Broadcasters, I				BLH960709KD		
KYLS	224A	Ironton	MO	344.0	94.13	72.0	22.13
LI CN	37 34 23	90 41 35	0.640 kW	204M	58.5	44.8	
	David E. Smith Communications				BLH840113AK		
>*To channel 225A per one-step application 931230IE							
KASU	220C1	Jonesboro	AR	194.4	99.39	75.0	24.39
LI DCN	35 53 27	90 40 26	100.000 kW	210M	61.8	46.6	
	Arkansas State University				BLED940314KB		
WILFM	222C	St. Louis	MO	0.0	191.33	165.0	26.33
LI CY	38 28 56	90 23 53	100.000 kW	300M	118.9	102.6	
	WIL Music, Inc.				BLH890707KC		
ALOPEN	222A	Thayer	MO	254.0	100.98	72.0	28.98
AL N	36 30 13	91 28 56	0.000 kW	0M	62.8	44.8	
	90-619	WO= 910909					911010
>First Come/First Served Allotment							
>Site restricted-Effective 9-9-91							

